

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(973) 776-7700

CHAMBERS OF
JAMES B. CLARK, III
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
50 WALNUT STREET, ROOM 2060
NEWARK, NJ 07102

March 12, 2024

LETTER ORDER

Re: Doe v. Smith
Civil Action No. 24-634 (ES)

Dear Counsel:

The Court is in receipt of multiple letters from various non-parties in this matter requesting generally: (1) the entry of proposed protective orders, which are not consented to by the parties in this matter; and (2) that they be permitted to be identified in this matter by pseudonym. *See* Dkt. Nos. 31, 39, 40. Upon review of the aforementioned letters, as well as Plaintiff's responses thereto [Dkt. Nos. 32, 41], the Court orders as follows:

- 1) Pursuant to Federal Rule of Civil Procedure 5.2(a)(3) and Local Civil Rule 5.2, any public filing containing "the name of an individual known to be a minor . . . may include only" the minor's initials. Fed. R. Civ. P. 5.2(a)(3).
- 2) Any request to proceed by pseudonym shall be made via formal motion.
- 3) The parties in this matter, and any interested non-parties, shall meet and confer regarding the scope and form of any proposed discovery confidentiality/protective order to be submitted to the Court. If an agreement regarding the scope and form of any such proposed order cannot be reached, the parties shall submit a proposed order in accordance with Appendix S of the Local Civil Rules. Any party/individual requesting modifications to the Appendix S order, without

consent from the other relevant parties, shall file a formal and properly supported motion seeking the entry of a protective order.

- 4) Pending the entry of a discovery confidentiality order and/or during the pendency of any dispute relating to the entry of a discovery confidentiality order, discovery shall proceed on a temporary attorney's eyes only basis and any non-party minors and their family members shall continue to be identified by their initials.
- 5) The absence of a discovery confidentiality/protective order alone shall not provide any party/individual with a proper basis to refuse to comply with a properly served subpoena or request for discovery unless accompanied by a fully explained and supported objection.

IT IS SO ORDERED.

s/ James B. Clark, III
JAMES B. CLARK, III
United States Magistrate Judge